HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.1577 of 2003

Dated 25.07.2007

Between:

Miss Pratima Mallapu.

…Petitioner

and

The Convener and another.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.1577 of 2003

O R D E R:

The petitioner appeared in the entrance examination conducted in the year 2002, for admission into I-Year of Engineering course. She secured the rank '29382'. On the basis of the local area, social status and the rank of the petitioner, she was allotted a seat in Computer Science and Engineering (CSE) in the second respondent-college, against a seat earmarked for payment category. The petitioner paid a sum of Rs.44,930/- as admission fee. In the second phase of counseling, the petitioner was allotted a seat in the course of Electrical and Electronics Engineering (EEE) against a free seat. The fee payable for a free seat is Rs.8,400/-. After deducting this amount, the petitioner was refunded a sum of Rs.35,000/-.

When the petitioner was pursuing the course, the first respondent addressed a letter, dated 28.12.2002, to the second respondent, stating that the admission of the petitioner has to be treated against a payment seat, since she reported 'no change' in the counseling for B.Architecture. The same is challenged in this writ petition.

No counter affidavit is filed on behalf of the respondents.

Heard the learned counsel for the petitioner and the learned Government Pleader for Technical Education.

The counseling for admission into Engineering and other related courses took place in different phases. In the first phase, the petitioner was admitted against a payment seat in the CSE course. In the second phase, she became eligible for a free seat in the EEE course, in the same college. The petitioner continued with the admission and was studying the course.

Since the petitioner virtually settled in the EEE course, she did not respond to the subsequent counseling, particularly for the B.Architecture course. The first respondent proceeded as though the petitioner was admitted against a payment seat in CSE course and did not take into account the fact that he permitted the petitioner to slide against the free seat in EEE course in the same college. The impugned proceedings appears to be, on account of the failure to verify the records properly.

The writ petition is, accordingly, allowed and the impugned letter is set aside. There shall be no order as to costs.

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25.07.2007

JSU